

The Washington Post

The Post's View

The Senate is unjustly delaying D.C. Superior Court nominations

By Editorial Board October 9 at 7:39 PM

THERE IS no controversy over the nomination of William Nootter to be a judge on the D.C. Superior Court. His presentation before a Senate committee was so well-received that it took only 18 minutes for him to be unanimously approved. “When you have good, qualified candidates that both sides agree to, it moves the process very quickly,” observed Sen. Mark Begich (D-Alaska). Nor is there any dispute over the need to fill vacancies on a court that handles more than 100,000 cases annually.

But almost a year after Mr. Nootter handily won committee approval, his nomination has yet to make it to the Senate floor. That’s an indictment not only of the gridlock that grips Capitol Hill but also of the inappropriateness of making these strictly local judicial appointments subject to congressional approval.

The problems caused by the Senate’s refusal to act on the nomination of Mr. Nootter and two other nominees was highlighted in a letter last month from Superior Court Chief Judge Lee F. Satterfield to Senate Majority Leader Harry M. Reid (D-Nev.). “I want to share with you the adverse impact that judicial vacancies are having on the Court and residents of the District of Columbia,” Judge Satterfield wrote in urging a prompt vote.

Another Superior Court judge is set to retire next month. That would bring the number of vacancies to four, the most the court has ever experienced. A full complement of judges is 62. Most pressing is the need in family court, where cases of real urgency — neglect and abuse of children, adoptions, juvenile delinquency — are heard. “Life-and-death decisions,” as Judge Satterfield said.

The District, unlike other local and state jurisdictions, is denied any voice regarding who will sit on its local courts to decide local cases involving local citizens. It also has no representation in the Senate, of course. This maddening situation is made all the worse by the fact that the people entrusted with these critical decisions have abdicated their responsibility. Congress needs to act on these nominations or give the District the authority to do the job — preferably both.